very weak radioactivity which was much less than that emitted by the luminous dial of an ordinary wrist watch.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article, consisting of the accompanying reprints and testimonials, contained false and misleading statements. The statements represented and suggested that the article was effective in the treatment of various forms of arthritis, rheumatism, sciatica, and bursitis, whereas the article was not effective in the treatment of such conditions.

DISPOSITION: June 29, 1953. Default decree of forfeiture. The court ordered that the treating unit, the metal stand, and the Geiger counter be loaned to the Food and Drug Administration for ten days and thereafter be destroyed, and that the labeling be destroyed also. On or about July 3, 1953, the decree was amended to permit the Food and Drug Administration to retain the Geiger counter as its property.

4120. Misbranding of Radiant Ozone Generator. U. S. v. 2 Devices * * *. (F. D. C. 35232. Sample Nos. 42572-L, 42573-L.)

LIBEL FILED: May 21, 1953, Northern District of California.

ALLEGED SHIPMENT: On or about January 21 and during July 1952, by William Hartline, from Eldorado Springs, Mo.

PRODUCT: 2 *Radiant Ozone Generators* at Seaside, Calif. The devices consisted essentially of a series of tubes, which were similar to neon tubes, with connections for attachment to a source of electric current.

LABEL, IN PART: "Radiant Ozone Generator Patent No. 2328640 2031 Main St., Kansas City, Mo."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying labeling of the device, namely, 41 pages of testimonial letters and a leaflet entitled "Color," which were enclosed in the shipping container of one of the devices, were false and misleading. The statements represented and suggested that the device constituted an adequate and effective means for the treatment of inflammation of the kidneys, neuritis, neuralgia, blood clots, colds, diabetes, sinus trouble, headaches, nervousness, arthritis, sciatic rheumatism, asthma, heart trouble, kidney trouble, boils, poison oak, varicose veins, abnormal blood pressure, stomach cancer, stiff joints, breast cancer, appendicitis, chickenpox, colitis, toxic headaches, high blood pressure, enlarged heart, pleurisy, angina pectoris, asthma, pneumonia, sprains, throat trouble, bruise, cataracts, bloat, eczema, wens, broken bones, liver trouble, stomach trouble, gland trouble, bronchial trouble, rundown condition, cancerous growth, catarrh, constipation, watering eyes, pernicious anemia, paralysis, sore throat, piles, and ear ailment. The device did not constitute an adequate and effective means for the treatment of such conditions.

DISPOSITION: October 7, 1953. Default decree of condemnation and destruction.

U. S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

4121–4140

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare, and include, where indicated, the results of investigations by the Department, prior to the institution of the proceedings. Published by direction of the Secretary of Health, Education, and Welfare.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *May 26, 1954.*

CONTENTS*

*For omission of, or unsatisfactory, ingredients statements, see Nos. 4125, 4128, 4131, 4138, 4140; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 4125, 4126, 4131; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 4126, 4128, 4131; labeling information not likely to be read and understood by the ordinary individual under customary conditions of purchase and use, No. 4130.

297270—54——1

DRUG ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED ACCORDING TO DIRECTIONS

4121. Misbranding of Isopto Alkaline. U. S. v. 26 Cartoned Bottles * * *. (F. D. C. No. 34907. Sample No. 67271-L.)

LIBEL FILED: March 20, 1953, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about December 26, 1952, by Alcon Laboratories, Inc., from Fort Worth, Tex.

PRODUCT: 26 cartoned bottles of *Isopto Alkaline* at New Orleans, La. Examination showed that the product was contaminated with *Pseudomonas aeruginosa.*

LABEL, IN PART: (Bottle) "15 cc. Isopto Alkaline Alcon Brand Of Physiologic Methyl Cellulose Ophthalmic 1% with Benzalkonium Chloride 1:50,000 in saline solution INDICATIONS: As a vehicle for Ophthalmic drugs, which are stable in an alkaline (pH 7.4) menstruum. Directions: One to two drops in eye(s) three times daily, or as directed by Physician."

NATURE OF CHARGE: Misbranding, Section 502 (j), the article was dangerous to health when used in the dosage and with the frequency prescribed, recommended, and suggested in its labeling, namely, as a vehicle for ophthalmic drugs, used 3 times daily.

DISPOSITION: May 4, 1953. Default decree of condemnation and destruction.

VIOLATIVE SALES OF PRESCRIPTION DRUGS

4122. Misbranding of dextro-amphetamine sulfate tablets and secobarbital sodium capsules. U. S. v. Clyde King (Clyde King Drug Co.), and Benjamin H. Darnell. Pleas of guilty. Fine of $50 against each defendant. (F. D. C. No. 34841. Sample Nos. 46279-L to 46283-L, incl., 46285-L.)

INFORMATION FILED: May 13, 1953, Northern District of Alabama, against Clyde King, trading as the Clyde King Drug Co., Birmingham, Ala., and Benjamin H. Darnell, a pharmacist for the company.

NATURE OF CHARGE: On or about July 18, 21, 26, 28, and 29, 1952, while a number of *dextro-amphetamine sulfate tablets* and *secobarbital sodium capsules* were being held for sale at the Clyde King Drug Co., after shipment in interstate commerce, various quantities of these drugs were dispensed without a prescription from a practitioner licensed by law to administer such drugs. These acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

Clyde King was charged as a defendant in each of the 6 counts of the information, and Benjamin H. Darnell was joined as a defendant in 3 of the counts.

DISPOSITION: May 25, 1953. The defendants having entered pleas of guilty, the court fined each defendant $50.

4123. Misbranding of dextro-amphetamine sulfate tablets and methyltestosterone tablets. U. S. v. Holt Chapman (Chapman's Pharmacy). Plea of guilty. Fine of $50. (F. D. C. No. 34872. Sample Nos. 2456-L, 2640-L, 2644-L, 2649-L, 2656-L.)

INFORMATION FILED: September 15, 1953, Middle District of Georgia, against Holt Chapman, trading as Chapman's Pharmacy, Macon, Ga.

NATURE OF CHARGE: On or about October 22, 27, and 31, and November 12, 1952, while a number of *dextro-amphetamine sulfate tablets* and *methyltestosterone*